The Second Ministerial Conference of the Community of Democracies
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ROUNDTABLE 1: CONSOLIDATING DEMOCRATIC INSTITUTIONS
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Mr. Chairman,
Ladies and Gentlemen,

I would like to thank you for the invitation to participate in this Roundtable. It is a pleasure for me to represent the Organization for Security and Co-operation in Europe at this Second Ministerial of the Community of Democracies, and I express also my thanks to the Republic of Korea for their efforts in organizing this important Conference. For those who do not know me, I am the Deputy Director of the OSCE's Office for Democratic Institutions and Human Rights, which is located in Warsaw. I am here in my own behalf and on behalf of Secretary General Jan Kubis.

In the area of democratisation, OSCE has produced advanced human rights instruments, as the OSCE human dimension commitments link human rights with the institutional and political system and performance of a state. In essence, OSCE participating States have agreed through their human dimension commitments that pluralistic democracy based on the rule of law is the only system of government suitable to guarantee human rights effectively. For obvious reasons, States that have become democracies more recently, and face particular challenges in multiple transitions, have been at the focus of the OSCE's attention. The OSCE documents and activities provide a firm anchorage for countries without strong democratic traditions and affected by weak institutions. The OSCE represents the first point of reference for countries in the OSCE area which seek development through democracy and partnership through common values. Although the OSCE participating States only engage in politically, rather than legally binding agreements, it is precisely that flexibility which gives the OSCE its unique possibility to involve weak democracies in an inclusive manner based on equality and partnership.

Mr. Chairman, as you know the development of lasting and sustainable institutions on a national level is imperative for the creation of strong and sustainable democracies. It has therefore been in the focus of much OSCE democratization work in the field.

Needless to say, the performance of free and fair elections is essential to the concept of democracy. That is why the OSCE has devoted much attention and resources to elections in the last decade. The ODIHR regularly deploys election observation missions to OSCE participating States in order to assess the implementation of OSCE commitments relating to elections. During 2002, my Office will have monitored or assessed some 20 elections, in the Republics of Montenegro and Serbia in the Federal Republic of Yugoslavia, Bosnia and Herzegovina, Latvia, the Slovak Republic, the former Yugoslav Republic of Macedonia, the Czech Republic, Hungary, Ukraine, France, Turkey and most recently the
United States of America. In its work related to elections, the ODIHR can draw on the support and experience of the OSCE Parliamentary Assembly as well as of the Parliamentary Assembly of the Council of Europe. In several post-conflict situations, namely in Bosnia and Herzegovina and Kosovo, the OSCE itself conducted a series of elections on all levels until all local structures could take over this responsibility.

As noted in the Discussion Paper, a mere political commitment to democracy or the limitation to a purely "electoral" democracy would not go far enough. Even though the establishment of a democratic system naturally depends on free and fair elections, this is far from the only criterion, and elections alone do not guarantee the survival of a democratic order. Democracy, even in countries with a long democratic tradition, needs to be actively pursued and promoted by all major elements of society, to be constantly renewed and further refined, by developing new responses and appropriate mechanisms for changing societies. Being a democracy is not like having passed a one-time test, but rather it's the development of a democratic culture which nurtures its own permanent development and improvement.

In short, stable democracy means constant change and responsiveness, not stagnation or complacency. That is why OSCE commitments take democratisation beyond the mere holding of elections. They also include requirements that activities of the government, the administration and the judiciary should be exercised in accordance with the system established by law. In addition, the notion of rule of law as it is enshrined in the OSCE documents does not describe merely a formal legality which assures regularity and consistency in the achievement and enforcement of democratic order. It goes beyond that, in aiming at justice based on the recognition and full acceptance of the supreme value of the human personality guaranteed by institutions providing a framework for its fullest expression. It thus relates individual human rights to the institutional framework and structure of a participating State.